



Reprinted
April 12, 2001

ENGROSSED SENATE BILL No. 222

DIGEST OF SB 222 (Updated April 11, 2001 5:44 PM - DI 98)

Citations Affected: IC 16-18; IC 16-28; noncode.

Synopsis: Health facilities. Requires the long term care division of the state department of health to establish processes and procedures to receive complaints about health facility inspectors or inspection teams. Requires a health facility inspector who conducts a licensure inspection of a health facility to meet certain criteria and perform certain tasks. Requires the state department of health to provide reports to the select joint committee on Medicaid oversight concerning inspections of health facilities. Makes certain other changes.

Effective: July 1, 2001.

Miller, Craycraft

(HOUSE SPONSORS — WELCH, BROWN C, BECKER, HASLER, FRENZ)

January 9, 2001, read first time and referred to Committee on Rules and Legislative Procedure.

February 22, 2001, amended; reassigned to Committee on Health and Provider Services.

March 1, 2001, amended, reported favorably — Do Pass.

March 5, 2001, read second time, ordered engrossed. Engrossed.

March 6, 2001, read third time, passed. Yeas 40, nays 10.

HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Public Health.

April 9, 2001, amended, reported — Do Pass.

April 11, 2001, read second time, amended, ordered engrossed.

C
o
p
y

ES 222—LS 6729/DI 13+



Reprinted
April 12, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 222

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-202.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2001]: **Sec. 202.5. "Licensure inspection", for**
4 **purposes of IC 16-28-4.5, means any inspection or survey of a**
5 **health facility conducted by the state department of health.**

6 SECTION 2. IC 16-18-2-254.5, AS ADDED BY P.L.52-1999,
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2001]: Sec. 254.5. "Office", for purposes of IC 16-19-13,
9 refers to the office of women's health established by IC 16-19-13.

10 SECTION 3. IC 16-28-4.5 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2001]:

13 **Chapter 4.5. Licensure Inspections of Health Facilities**

14 **Sec. 1. (a) An individual may not participate in a licensure**
15 **inspection of a health facility unless the individual, after being**
16 **hired as an employee of the state department:**

17 **(1) has been assigned, as part of the individual's orientation**

ES 222—LS 6729/DI 13+



C
o
p
y

process, to a licensed health facility for at least two (2) days or the equivalent number of hours to observe actual daily operations at a health facility;

(2) has been assigned, as part of the individual's orientation process, to shadow a local long term care ombudsman for one (1) day or the equivalent number of hours;

(3) has received at least six (6) hours of Alzheimer's disease and dementia specific training; and

(4) has received program orientation from a representative of the long-term care ombudsman program and from a representative of the adult protective services program.

(b) Any Medicaid or Medicare certified facility to which an individual described in subsection (a) is assigned must have a state department nursing home report card score that falls within the top twenty-five percent (25%) of all scores.

Sec. 2. An individual may not participate in a licensure inspection of a facility if:

(1) the individual has a financial interest in the facility;

(2) a member of the individual's immediate family has a financial interest in the facility;

(3) the individual has had a financial interest in the facility within the previous forty-two (42) months;

(4) a member of the individual's immediate family has had a financial interest in the facility within the previous forty-two (42) months;

(5) the individual is or has been employed by the facility, the owner corporation, or the management corporation in the previous forty-two (42) months;

(6) a member of the individual's immediate family is or has been employed by the facility, the owner corporation, or the management corporation in the previous forty-two (42) months;

(7) the individual has served as a consultant for the facility within the previous forty-two (42) months; or

(8) a member of the individual's immediate family has served as a consultant for the facility within the previous forty-two (42) months.

Sec. 3. Inspectors may not be members of a trade association of licensed health care facilities.

Sec. 4. During a licensure inspection of a health facility, the health facility administrator, the director of nursing, and corporate level staff may record their conversations with any member of the

C
o
p
y



inspection team at daily exit conferences held throughout the licensure inspection, subject to the following requirements:

(1) The inspection team leader must be notified in writing that the taping will occur.

(2) Copies of each tape recording must be provided to the team leader at the conclusion of the conference.

All taped conversations are considered to be part of the individual inspector's notes and documentation. However, taped conversations must be kept confidential.

Sec. 5. Each inspector involved in an inspection must sign an affidavit, which must be attached to the statement of deficiencies, that states as follows:

"I swear under penalties of perjury that, to the best of my knowledge and belief, the statements that I have written in this document are true, accurate, and complete".

Sec. 6. When the state department has completed a licensure inspection of a health facility, the state department must have at least one (1) individual who was a member of the inspection team to provide the health facility with preliminary findings of the results of the inspection and the relative seriousness of the deficiencies at the exit conference. The following people must be invited to the exit conference:

(1) A member of the resident council.

(2) A member of the family council, if a family council exists.

(3) The local long-term care ombudsman.

(4) The complainant, if the exit conference is the result of a licensure inspection related to a complainant and the complainant is known.

Sec. 7. A health facility may request that the inspection team leader consult an expert clinical resource in long term care appointed or authorized by the state department if the inspection team intends to cite the health facility for the facility's clinical protocols or best practice standards.

Sec. 8. Not less than semiannually, the state department shall provide joint training sessions with health facilities, individuals who conduct health facility licensure inspections, and representatives of the state long-term care ombudsman program. The primary topic of the joint training sessions must be the subject of at least one (1) of the ten (10) most frequently issued federal citations in Indiana during the preceding calendar year.

Sec. 9. (a) An individual who participates in a licensure inspection of a health facility related to a complaint must interview

C
o
p
y



1 the complainant, if known, prior to investigating the complaint.
2 However, the individual may commence the investigation without
3 first interviewing the complainant if the individual is unable to
4 contact the complainant after making at least three (3) attempts to
5 contact the complainant. Priority one (1) complaints are exempt
6 from this requirement if attempting to make prior contacts would
7 delay the investigation. However, the inspector must make at least
8 three (3) attempts to reach the complainant before the
9 investigation is completed.

10 (b) The letter of notification to a complainant regarding the
11 results of an investigation must inform the complainant:

12 (1) that a copy of the investigative report of the results of the
13 licensure inspection related to the complaint is available upon
14 request; and

15 (2) of the manner in which the complainant may request a
16 review of the results of the investigation.

17 Sec. 10. During an annual or follow-up licensure inspection, an
18 inspector must schedule times to meet with family members of
19 residents of the facility. The posting that announces that the
20 licensure inspection team is in the building should also announce
21 the time and location that a member of the inspection team will be
22 available each day to speak with family members, either
23 individually or with other family members. In addition, the posting
24 must include the telephone number of the division for family
25 members to contact in order to schedule a meeting with an
26 inspector when the inspectors are not onsite during the posted date
27 of the survey.

28 Sec. 11. The long term care division of the state department
29 shall establish processes and procedures for investigating
30 complaints received concerning inspectors and inspection teams.
31 These processes and procedures must include the following:

32 (1) Protections from retaliation against complainants as the
33 result of these complaints.

34 (2) A discussion with the inspector or the inspection team
35 leader and the person filing the complaint.

36 (3) Development of a report on the results of the investigation
37 that is to be sent to the complainant. The report may not
38 include any disciplinary findings against individual
39 inspectors.

40 Sec. 12. The long term care division of the state department
41 shall establish processes and procedures for investigating
42 complaints received concerning individual complaint investigation

C
o
p
y



1 results. These processes and procedures must include the
2 following:

- 3 (1) Protections from retaliation against complainants as the
4 result of these complaints.
- 5 (2) A discussion with the inspector or the inspection team
6 leader and the person filing the complaint.
- 7 (3) Development of a report on the results of the investigation
8 that is to be sent to the complainant. The report may not
9 include any disciplinary findings against individual
10 inspectors.

11 Sec. 13. The department shall be given access to all inspection
12 notes and documentation, and if necessary, interview the individual
13 inspectors when conducting informal dispute resolutions.

14 SECTION 4. [EFFECTIVE JULY 1, 2001] (a) The state
15 department of health shall report quarterly to the select joint
16 committee on Medicaid oversight concerning licensure inspections
17 of health facilities under IC 16-28. The report must include the
18 following information:

- 19 (1) The number of inspections that were completed.
- 20 (2) The number of citations issued per inspection, including
21 the scope and severity of the citations by the type of
22 inspection.
- 23 (3) The number of night and weekend inspections.
- 24 (4) The number of complaints received, investigated, and
25 substantiated.
- 26 (5) The number of complaints that fell into each priority level.
- 27 (6) The department's response time to investigate complaints.
- 28 (7) A summary of the citations that have been appealed to an
29 informal dispute resolution process and the results of the
30 appeals.
- 31 (8) A summary of the citations that have been appealed to an
32 administrative law judge and the results of the appeals.
- 33 (9) An analysis of citations by scope and severity by survey
34 region.

35 The information in the report must also compare the statistics with
36 other states in Region V of the Health Care Financing
37 Administration and for the country as a whole where statistics
38 from other states are available.

39 (b) This SECTION expires July 1, 2006.

40 SECTION 5. [EFFECTIVE JULY 1, 2001] (a) The state
41 department of health, in consultation with health facility
42 associations, the Indiana medical directors association, the state



C
o
p
y

1 long-term care ombudsman, consumer advocacy organizations,
2 and the federal Health Care Financing Administration, shall
3 clarify the following terms to insure consistency in the inspections
4 of health facilities under Title XVIII and Title XIX of the federal
5 Social Security Act by the state department of health:

6 (1) Immediate jeopardy.

7 (2) Harm.

8 (3) Potential harm.

9 (4) Avoidable.

10 (5) Unavoidable.

11 (6) Isolated.

12 (7) Pattern.

13 (8) Widespread.

14 (b) This SECTION expires July 1, 2002.

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 222, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Health and Provider Services.

(Reference is to SB 222 as introduced.)

GARTON, Chairperson

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 222, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-202.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 202.5. "Licensure inspection", for purposes of IC 16-28-4.5, means any inspection or survey of a health facility conducted by the state department of health.**"

Page 1, line 11, after "Sec. 1." insert "(a)".

Page 1, line 15, delete "ten (10) days within a fourteen (14) day period" and insert "**two (2) days or the equivalent number of hours**".

Page 1, line 16, delete "and".

Page 1, between lines 16 and 17, begin a new line block indented and insert:

"(2) has been assigned to shadow a local long term care ombudsman for one (1) day or the equivalent number of hours;"

Page 1, line 17, delete "(2)" and insert "(3)".

Page 2, line 1, delete "." and insert "; and".

Page 2, between lines 1 and 2, begin a new line block indented and insert:

"(4) has received program orientation from a representative of the long-term care ombudsman program and from a representative of the adult protective services program.

(b) Any Medicaid or Medicare certified facility to which an individual described in subsection (a) is assigned must have a state department nursing home report card score that falls within the top twenty-five percent (25%) of all scores."

Page 2, line 2, after "licensure" insert "**inspection of a facility if:**".

Page 2, delete lines 3 through 13, begin a new line block indented and insert:

- "(1) the individual has a financial interest in the facility;**
- (2) a member of the individual's immediate family has a financial interest in the facility;**
- (3) the individual has had a financial interest in the facility within the previous five (5) years;**
- (4) a member of the individual's immediate family has had a**



C
o
p
y

financial interest in the facility within the previous five (5) years;

(5) the individual is or has been employed by the facility, the owner corporation, or the management corporation in the previous five (5) years;

(6) a member of the individual's immediate family is or has been employed by the facility, the owner corporation, or the management corporation in the previous five (5) years;

(7) the individual has served as a consultant for the facility within the previous five (5) years; or

(8) a member of the individual's immediate family has served as a consultant for the facility within the previous five (5) years.

Sec. 3. Inspectors may not be members of a trade association of licensed health care facilities.

Sec. 4. During a licensure inspection of a health facility, the health facility administrator, the director of nursing, and corporate level staff may record their conversations with any member of the inspection team at closed-door conferences held throughout the licensure inspection, subject to the following requirements:

(1) The inspection team leader must be notified in writing that the taping will occur.

(2) Copies of each tape recording must be provided to the team leader at the conclusion of the conference.

All taped conversations are considered to be part of the individual inspector's notes and documentation.

Sec. 5. Each inspector involved in an inspection must sign an affidavit, which must be attached to the statement of deficiencies, that states as follows:

"I swear under penalties of perjury that, to the best of my knowledge and belief, the statements that I have written in this document are true, accurate, and complete".

Page 2, line 14, delete "4." and insert "6.".

Page 2, line 18, delete "citations, including the scope and severity of the citations." and insert **"results of the inspection, including an understanding of what must be done to correct any deficiencies and the relative seriousness of the deficiencies, at the exit conference. The following people must be invited to the exit conference:**

(1) A member of the resident council.

(2) A member of the family council, if a family council exists.

(3) The local long-term care ombudsman.

(4) The complainant, if the exit conference is the result of a



C
O
P
Y

licensure inspection related to a complainant and the complainant is known."

Page 2, line 19, delete "5." and insert "7."

Page 2, line 24, delete "6." and insert "8."

Page 2, line 25, delete "and" and insert ",".

Page 2, line 26, after "inspections" insert ", and representatives of the state long-term care ombudsman program".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"Sec. 9. (a) An individual who participates in a licensure inspection of a health facility related to a complaint must interview the complainant, if known, prior to investigating the complaint. However, the individual may commence the investigation without first interviewing the complainant if the individual is unable to contact the complainant after making at least three (3) attempts to contact the complainant.

(b) The letter of notification to a complainant regarding the results of an investigation must inform the complainant:

(1) that a copy of the investigative report of the results of the licensure inspection related to the complaint is available upon request; and

(2) of the manner in which the complainant may request a review of the results of the investigation.

Sec. 10. During an annual or follow-up licensure inspection, an inspector must schedule times to meet with family members of residents of the facility. The posting that announces that the licensure inspection team is in the building should also announce the time and location that a member of the inspection team will be available each day to speak with family members, either individually or with other family members."

Page 2, delete lines 30 through 41.

Page 3, delete lines 13 through 42.

Page 4, delete lines 1 through 9.

Page 4, line 18, after "3." insert "(a)".

Page 4, delete lines 19 through 21.

Page 4, line 22, delete "(2)" and insert "(1)".

Page 4, line 23, delete "(3)" and insert "(2)".

Page 4, line 25, delete "(4)" and insert "(3)".

Page 4, line 26, after "teams" insert **"and individual complaint investigation results"**.

Page 4, between lines 26 and 27, begin a new line block indented and insert:

"(4) To conduct quality assurance reviews on the state



C
O
P
Y

department's complaint prioritization, intake, and complaint inspection process.

(b) The office shall prepare a report of the result of each review authorized under subsection (a)(3). The office shall provide a copy of the report to the state department's long-term care division and to the person requesting the review. The report is a part of the public file of the facility. A review authorized under subsection (a)(3) must include a discussion with the inspector or the inspection team leader and the person filing the complaint."

Page 4, line 27, delete "(a) The office shall review all health facility inspection".

Page 4, delete line 28.

Page 4, line 29, delete "citation constitutes a breach under IC 16-28-5."

Page 4, run in lines 27 through 29.

Page 4, line 31, after "inspectors" insert "**when conducting informal dispute resolutions**".

Page 4, line 31, delete "After evaluating the".

Page 4, delete lines 32 through 36.

Page 4, between lines 40 and 41, begin a new paragraph and insert:

"Sec. 6. An employee assigned to the office of quality assurance must be free from conflict of interest. Conflicts of interest include:

- (1) ongoing employment in, a contractual relationship with, or the participation in the management of a long-term care facility;**
- (2) an ongoing financial relationship in a long-term care facility or a long-term care service provider; or**
- (3) an ongoing membership in a trade association of long-term care facilities.**

Sec. 7. An individual may not be assigned to an informal dispute resolution for a facility if:

- (1) the individual has a financial interest in the facility;**
- (2) a member of the individual's immediate family has a financial interest in the facility;**
- (3) the individual has had a financial interest in the facility in the previous five (5) years;**
- (4) a member of the individual's immediate family has had a financial interest in the facility in the previous five (5) years;**
- (5) the individual is or has been employed by the facility, the owner corporation, or the management corporation in the previous five (5) years;**
- (6) a member of the individual's immediate family is or has**



C
O
P
Y

been employed by the facility, the owner corporation, or the management corporation in the previous five (5) years;

(7) the individual has served as a consultant for the facility within the previous five (5) years; or

(8) a member of the individual's immediate family has served as a consultant for the facility within the previous five (5) years."

Page 4, line 41, delete "6." and insert "8."

Page 5, line 1, after "The" insert **"office of quality assurance established within the"**.

Page 5, line 8, after "citations" insert **"by the type of inspection"**.

Page 5, between lines 11 and 12, begin a new line block indented and insert:

"(5) The number of complaints that fell into each priority level."

Page 5, line 12, delete "(5)" and insert "(6)".

Page 5, line 13, delete "(6)" and insert "(7)".

Page 5, line 16, delete "(7)" and insert "(8)".

Page 5, between lines 17 and 18, begin a new line block indented and insert:

"(9) An analysis of citations by scope and severity by survey region."

(10) A summary of the results of the review of complaints received regarding inspectors or inspection teams and individual complaint investigation results."

Page 5, line 20, after "whole" insert **"where statistics from other states are available"**.

Page 5, line 23, delete "health shall hold public meetings to explain the" and insert **"health, in consultation with health facility associations, the Indiana medical directors association, the state long-term care ombudsman, consumer advocacy organizations, and the federal Health Care Financing Administration, shall clarify the following terms to insure consistency in the inspections of health facilities under Title XVIII and Title XIX of the federal Social Security Act by the state department of health:"**.

Page 5, delete lines 24 through 25.

Page 5, between lines 30 and 31, begin a new line block indented and insert:

"(6) Isolated.

(7) Pattern.

(8) Widespread."

Page 5, delete lines 31 through 36.

C
o
p
y



Page 5, line 37, delete "(c)" and insert "**(b)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 222 as printed February 23, 2001.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Craycraft be added as second author of Engrossed Senate Bill 222.

MILLER

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 222, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, after "assigned" insert **", as part of the individual's orientation process,"**.

Page 2, line 5, after "assigned" insert **", as part of the individual's orientation process,"**.

Page 3, line 8, after "documentation." insert **"However, taped conversations must be kept confidential."**

Page 3, line 19, delete **", including an understanding of what must"**.

Page 3, line 20, delete **"be done to correct any deficiencies"**.

Page 3, line 21, after "deficiencies" delete **", "**.

Page 3, line 29, delete **"An individual who participates in a licensure inspection"** and insert **"A health facility may request that the inspection team leader consult with a clinical expert in long term care appointed by the state department if the inspection team intends to cite the health facility for the facility's clinical protocols or best practice standards."**

Page 3, delete lines 30 through 33.

Page 4, line 5, after "complainant." insert **"Priority one (1) complaints are exempt from this requirement if attempting to make prior contacts would delay the investigation. However, the inspector must make at least three (3) attempts to reach the complainant before the investigation is completed."**

Page 4, line 19, after "members." insert **"In addition, the posting must include the telephone number of the division for family members to contact in order to schedule a meeting with an inspector when the inspectors are not onsite during the posted date of the survey."**

Sec. 11. The long term care division of the state department shall establish processes and procedures for investigating complaints received from the office concerning inspectors and inspection teams. These processes and procedures must include the following:

- (1) Protections from retaliation against complainants as the result of these complaints.**
- (2) A discussion with the inspector or the inspection team leader and the person filing the complaint.**
- (3) Development of a report on the results of the investigation that is to be sent to the office. The report may not include any**



C
o
p
y

disciplinary findings against individual inspectors.

Sec. 12. The long term care division of the state department shall establish processes and procedures for investigating complaints received from the office concerning individual complaint investigation results. These processes and procedures must include the following:

(1) Protections from retaliation against complainants as the result of these complaints.

(2) A discussion with the inspector or the inspection team leader and the person filing the complaint.

(3) Development of a report on the results of the investigation that is to be sent to the office. The report may not include any disciplinary findings against individual inspectors."

Page 5, line 4, delete "and review".

Page 5, line 4, delete "from health facilities".

Page 5, line 6, after "results" delete "." and insert **"and forward these complaints to the long term care division of the state department. This section does not preclude individuals from making complaints directly to the long term care division of the state department."**

Page 5, between lines 6 and 7, begin a new line block indented and insert:

"(4) To conduct quality assurance reviews on the state department's process for investigating complaints concerning inspectors or inspection teams."

Page 5, line 7, delete "(4)" and insert **"(5)"**.

Page 5, between lines 9 and 10, begin a new line block indented and insert:

"(6) To receive reports from the long term care division of the state department on the results of their investigation of complaints concerning inspectors or inspection teams and individual complaint investigation results and to provide these results to the complainant."

Page 5, line 10, delete "each review" and insert **"the quality assurance reviews"**.

Page 5, line 11, delete "(a)(3)." and insert **"(a)(4) through (a)(5)." .**

Page 5, line 12, after "and" insert **"the select joint committee on Medicaid reimbursement."**

Page 5, delete lines 13 through 16.

Page 6, line 34, delete "A summary of the" and insert **"The"**.

C
O
P
Y



Page 6, line 34, delete "review" insert "**quality assurance reviews**".
and when so amended that said bill do pass.

(Reference is to SB 222 as printed March 2, 2001.)

BROWN C, Chair

Committee Vote: yeas 10, nays 1.

C
o
p
y



HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 222 be amended to read as follows:

Page 1, delete lines 10 through 11.

Page 2, line 24, strike "~~five (5) years~~" and insert "**forty-two (42) months**".

Page 2, line 26, strike "~~five (5)~~" and insert "**forty-two-(42)**".

Page 2, line 27, strike "~~years~~" and insert "**months**".

Page 2, line 30, strike "~~five (5) years~~" and insert "**forty-two (42) months**".

Page 2, line 33, strike "~~five (5) years~~" and insert "**forty-two (42) months**".

Page 2, line 35, strike "~~five (5) years~~" and insert "**forty-two (42) months**".

Page 2, line 37, strike "~~five (5)~~" and insert "**forty-two (42)**".

Page 2, line 38, strike "~~years~~" and insert "**months**".

Page 3, line 2, strike "~~closed-door~~" and insert "**daily exit**".

Page 3, line 31, strike "~~with a clinical expert~~" and insert "**an expert clinical resource**".

Page 3, line 31, after "**appointed**" insert "**or authorized**".

Page 4, line 31, strike "~~from the office~~".

Page 4, line 39, strike "~~office~~" and insert "**complainant**".

Page 5, line 1, strike "~~from the office~~".

Page 5, line 9, strike "~~office~~" and insert "**complainant**".

Page 5, delete lines 11 through 42.

Page 5, line 11, begin a new line block indented and insert:

"Sec. 13. The department shall be given access to all inspection notes and documentation, and if necessary, interview the individual inspectors when conducting informal dispute resolutions."

Delete page 6.

Page 7, delete lines 1 through 12.

Page 7, line 13, strike "~~office of quality~~".

Page 7, line 14, strike "~~assurance established within the~~".

Page 7, delete lines 34 through 36.

Renumber all SECTIONS consecutively.

(Reference is to ESB 222 as printed April 9, 2001.)

WELCH

C
o
p
y

